

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 8:23CR65
)
vs.) 8:12CR62
)
MATTHEW MCCANN,)
Defendant.)

ORDER

This matter is before the court on defendant's Unopposed Motion to Continue Trial [16] in Case No. 8:23cr65 and a request to continue the final disposition hearing in companion Case No. 8:12cr62. The defendant wishes to retain private counsel and needs additional time to do so and to prepare for trial or resolution short of trial. Accordingly,

IT IS ORDERED that the Motion to Continue Trial [16] in Case No. 8:23cr65 is granted, as follows:

1. The jury trial now set for July 18, 2023, is continued to **September 19, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and September 19, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny the defendant reasonable time to obtain counsel, or would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without requesting a hearing before the undersigned magistrate judge.**

IT IS FURTHER ORDERED that the final disposition hearing in Case No. 8:12cr62 is continued to **September 19, 2023, at 8:30 a.m.**

DATED: June 28, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge